

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

**CHARLES S. TAYLOR**

Serial No.: Not Yet Assigned

Filed: Herewith

**For: SURGICAL DEVICES FOR  
IMPOSING A NEGATIVE PRESSURE  
TO STABILIZE CARDIAC TISSUE  
DURING SURGERY**

) **Group Art Unit:** Not Yet Assigned  
)  
)

) **Examiner:** Not yet assigned  
)  
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#3 / I.D.S.

jc559 U.S. PTO  
09/440106  
11/15/99

INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

Applicants hereby disclose to the Patent Office patents, publications, and other information of which they are aware. A Form PTO-1449 listing the above items for consideration by the examiner is attached hereto. Copies of the cited references were previously cited by or submitted to the Patent Office in connection with the prior applications Serial No. 08/870,687, filed on June 6, 1997 and Serial No. 08/603,328, filed February 20, 1996 which issued into USP 5,727, 569 on March 17, 1998, which this application claims priority under 35 U.S.C. § 120. Accordingly, copies of the cited references are not being separately provided in this application pursuant to 37 C.F.R. § 1.98(d).

OC-38487.1

CERTIFICATE OF MAILING  
(37 C.F.R. §1.10)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as 'Express Mail Post Office To Addressee' in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

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November 15, 1999  
Date of Deposit

*Lynne Fulmer*  
Lynne Fulmer

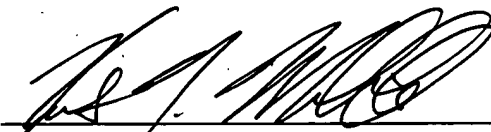
The items cited on the attached Form PTO-1449 may or may not be material to the patentability of the claims in the above-identified application, and their submission is not to be construed as an admission that the items are material or considered to be material (37 C.F.R. § 1.97(h)), or even that they qualify as "prior art" under 35 U.S.C. § 102 with respect to the claimed invention unless specifically designated as such. Identification of any publication or patent having an issue date or a publication date after the statutory bar date is not an admission that the publication was published, or that the patent was filed, before the invention claimed in this application was made by Applicants.

The filing of this Information Disclosure Statement is not to be construed to mean that a search has been made or that additional information material to the examination of this application does not exist.

Because this statement is being submitted prior to the first action on the merits, no fee is required under 37 C.F.R. § 1.97(b). However, should the Patent Office determine that a fee is required, the Assistant Commissioner is hereby authorized to charge Deposit Account No. 12-2475 for the fee.

Respectfully submitted,

LYON & LYON LLP

By:   
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Reg. No. 37,194

Dated: November 15, 1999

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